

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Department of Consumer and Regulatory Affairs

Administrative Issuance System

DCRA Bulletin No. 5-06A-08

SUBJECT: Nondisclosure to Public of Information during Course of Inspection and / or Investigation

EFFECTIVE DATE: August 25, 2008

EXPIRATION OR REPLACEMENT: Upon revision

PURPOSE AND AUTHORITY:

The purpose of this Administrative Issuance is to set forth the procedures that must be followed by the Department of Consumer and Regulatory Affairs (DCRA) personnel during the course of investigations and inspections. This Administrative Issuance is set forth in order to prevent the compromise of ongoing investigations and or inspections and to protect the identity of complainants and witnesses. This includes the issuances of all notices with special emphasis on violations and notices of infractions. DCRA personnel **shall not** disclose, verbally or in writing, the names of complainants, or witnesses, or any information, evidence, or record known to DCRA, or held in possession of DCRA, to any person, entity, or to another agency without prior written consent from DCRA Service Integrity Officer or the General Counsel. This procedure will also preserve the integrity of the investigation itself, protect those affiliated or involved, and ensure due process while the matter takes its course through the established system. With respect to any notice, specifically notices of violations and or infractions, DCRA personnel **shall not** disclose or disseminate copies of the notices until the owner or respondent has been served with a copy of the notice.

SCOPE:

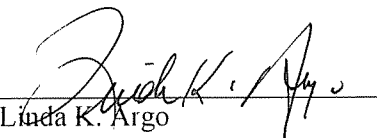
- Managers and supervisors are charged with ensuring that appropriate staff knows about this AI.
- All permanent, part-time, temporary and term DCRA employees and all employees of a vendor under contract with DCRA to provide regular, ongoing DCRA operational services are required to follow this AI.

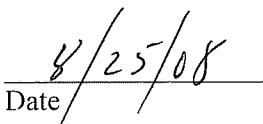
PROVISIONS:

An ongoing inspection/investigation is defined as "the act of inspecting or investigating; the process of inquiring into or following up; research; study; inquiry; housing or building code inspection or similar acts.

If during the course of an ongoing inspection/investigation, including the issuance of all notices, specifically notices of violation and or notices of infraction which have not been fully adjudicated, an inspector or investigator shall not disclose any evidence, facts, memoranda, notices and or similar documents, that have not been fully adjudicated or otherwise decided.

If a request is made for such information or evidence the employee shall refer the requestor to DCRA's **FOIA, Manager or Supervisor, Subpoena Clerk**, or Office of General Counsel.


Linda K. Argo
Director


Date

NOTE: DAIS Bulletins are strictly procedural in nature and have direct applicability only to DCRA employees under the authority of the Director.

INQUIRIES: DCRA

DISTRIBUTION: Director, Deputy Directors, Program Managers, Division Chiefs, and DCRA employees and contractors

BULLETIN EXPIRES: Upon notification